

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

_____)	
UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 04-007-A
)	
GEORGE R. BLICK,)	
)	
Defendant.)	
_____)	

ORDER

This matter comes before the Court on the Defendant's Motion to Resentence. The Court lacks jurisdiction to issue a different sentence in this case because the seven day period outlined in Fed. R. Crim. P. 35(a) past long before Defendant filed for this relief. U.S. v. Shank, 395 F.3d 466 (4th Cir. 2005). Even if jurisdiction were proper, the Fourth Circuit Court of Appeals considered and rejected Defendant's arguments regarding his sentence in light of Blakely v. Washington, 524 U.S. 296 (2004) and United States v. Booker, 543 U.S. 220 (2005). Furthermore, the Court finds that even if the United States Sentencing Guidelines were merely advisory, Defendant's sentence of thirty months is well within the statutory maximum of twenty years and reasonable given the circumstances in this matter. It is hereby

ORDERED that Defendant's motion is DENIED.

/s/

CLAUDE M. HILTON
UNITED STATES DISTRICT JUDGE

Alexandria, Virginia
January 20, 2006